

IC 22-13-4

Chapter 4. Standards for Building Rules; Exemption From Design Release Requirement

IC 22-13-4-1

Conditions to be promoted by rules

Sec. 1. (a) The building rules adopted by the commission to govern new construction must promote the following:

- (1) Safety.
- (2) Sanitary conditions.
- (3) Energy conservation.
- (4) Access by a person with a physical disability to Class 1 structures.

(b) Rules that:

- (1) are adopted by the commission or the rules board under this article; and
- (2) are not covered by subsection (a);

must promote safety.

As added by P.L.245-1987, SEC.2. Amended by P.L.23-1993, SEC.151.

IC 22-13-4-1.5

Compliance with Americans with Disabilities Act

Sec. 1.5. (a) The commission shall adopt building rules for the purpose of complying with and implementing the Americans with Disabilities Act (42 U.S.C. 12181 et seq.) and any amendments and regulations relating to the Act, to be consistent with the Americans with Disabilities Act Accessibility Guidelines (28 CFR 36.101 et seq.).

(b) The rules adopted under this section must:

- (1) require that new construction must be readily accessible to and usable by individuals with disabilities, unless it is structurally impracticable to meet the accessibility requirements according to the standards established by the Americans with Disabilities Act Accessibility Guidelines (28 CFR 36.101 et seq.);
- (2) require that an alteration of an existing facility must be made so that the alteration complies with the readily achievable barrier removal provisions of the Americans with Disabilities Act Accessibility Guidelines (28 CFR 36.101 et seq.); and
- (3) allow the use of reasonable and cost-effective alternative means of public access or service if the alternative means are consistent with the Americans with Disabilities Act (42 U.S.C. 12181 et seq.).

As added by P.L.118-1994, SEC.3. Amended by P.L.168-1997, SEC.1.

IC 22-13-4-2

Industrialized building systems and mobile structures

Sec. 2. The commission shall adopt building rules to govern the construction of industrialized building systems and mobile structures. In these rules, industrialized building systems and mobile structures may be exempted from requirements that otherwise apply to buildings or other structures.

As added by P.L.245-1987, SEC.2.

IC 22-13-4-3

Models or offices for sale of family dwellings; buildings used primarily as dwellings; exemption from rules and design release requirement

Sec. 3. (a) This section applies to a building or other structure that is:

- (1) temporarily used as a model or office for the sale of a one (1) or two (2) family dwelling; or
- (2) used for an occupation that is compatible, as determined by criteria established by the commission, with its primary use as a dwelling.

(b) The commission may adopt building rules that exempt a building or other structure described in subsection (a) from:

- (1) building rules that otherwise apply to Class 1 structures; and
- (2) the design release requirement under IC 22-15-3.

As added by P.L.245-1987, SEC.2.

IC 22-13-4-4

Minor construction; exemptions

Sec. 4. The commission may adopt building rules that exempt minor construction (as defined in the rules adopted by the commission) from the design release requirement under IC 22-15-3 and the regulated lifting device installation or alteration permit requirement under IC 22-15-5.

As added by P.L.245-1987, SEC.2.

IC 22-13-4-5

Conversion of buildings; exemption from rules

Sec. 5. (a) The commission shall adopt building rules that allow a person to convert a building or other structure, in whole or in part, from one (1) class of occupancy and use established under the commission's rules to another without complying with all of the commission's rules governing new construction.

(b) The rules adopted under this section must protect the public from significant health hazards and safety hazards.

(c) Subject to subsection (b), the rules must promote the following:

- (1) The preservation of architecturally significant and historically significant parts of buildings and other structures.
- (2) The economically efficient reuse of buildings and other structures.

(d) The rules adopted under this section may condition an exemption upon:

- (1) passing an inspection conducted by the department; and
- (2) paying the fee set under IC 22-12-6-6.

As added by P.L.245-1987, SEC.2.

IC 22-13-4-6

Class 1 structures within seismic zone 2A; structural resistance

to earthquakes

Sec. 6. (a) This section applies to Class 1 structures that are partially or entirely located within the geographic area included in seismic zone 2A.

(b) As used in this section, "seismic zone 2A" refers to the geographic boundaries that comprise seismic zone 2A as established in the rules adopted by the commission.

(c) The commission shall adopt building rules under IC 4-22-2 that prohibit or limit occupancy or use of Class 1 structures that do not comply with the commission's rules governing structural resistance to earthquakes.

(d) The rules adopted under this section must cover essential buildings and public utility services:

- (1) designated by the state emergency management agency; and
- (2) needed for disaster recovery operations.

(e) The rules adopted under this section may not apply to a Class 1 structure if construction of the structure began before July 1, 1993.

As added by P.L.204-1993, SEC.1.